

FEDERAL COMMUNICATIONS COMMISSION  
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Docket-222

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10 MAY 1993

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IN REPLY REFER TO:

7330-7/1700A3

EX PARTE OR LATE FILED

Honorable Herb Klein  
House of Representatives  
1728 Longworth Building  
Washington, D.C. 20515

MAY 13 1993

FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

Dear Congressman Klein:

This is in response to your letter of April 21, 1993, in which you inquired on behalf of your constituent, Mr. Ronald Leciston, regarding the Notice of Proposed Rule Making (Notice) in PR Docket No. 92-235, 57 FR 54034 (1992).

Mr. Leciston is specifically concerned about the potential impact of our final

# Congressional

DUE 5-6-93

PLEASE MAKE 2 EXTRA COPIES OF INCOMING, ATTACHMENTS,  
AND REPLY FOR DOCKET FILE, ROOM 222.

CONGRESSIONAL CORRESPONDENCE TRACKING SYSTEM  
04/27/93

## LETTER REPORT

| CONTROL NO. | DATE RECEIVED | DATE OF CORRESP | DATE DUE | DATE DUE OLA(857) |
|-------------|---------------|-----------------|----------|-------------------|
| 9301836     | 04/27/93      | 04/06/93        | 05/17/93 |                   |

| TITLE       | MEMBERS NAME  | REPLY FOR SIG OF |
|-------------|---------------|------------------|
| Congressman | Herbert Klein | BC               |

| CONSTITUENT'S NAME | SUBJECT                   |
|--------------------|---------------------------|
| Ronald Leciston    | ing comments on pp 2-1-93 |

HERB KLEIN  
8TH DISTRICT, NEW JERSEY  
1728 LONGWORTH BUILDING  
WASHINGTON, DC 20515  
(202) 225-5751  
200 FEDERAL PLAZA  
SUITE 500  
PATERSON, NJ 07505  
(201) 523-5152

**Congress of the United States**  
**House of Representatives**  
**Washington, DC 20515-3008**

April 6, 1993

PRB  
92-235  
1836

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AND AVIATION  
ENERGY

Ms. Lauren Delvin  
Acting Director, Legislative Affairs  
Federal Communications Commission  
Room 808  
1919 M Street, N.W.  
Washington, D.C. 20554

Dear Ms. Delvin:

One of my constituents has contacted me regarding a matter in which I believe the Federal Communications Commission could be of great assistance. Therefore, the enclosed communication is submitted for your review.

I would very much appreciate your responding to the points raised by my constituent, and offering any assistance available under the applicable laws and regulations. In addition, I would be especially grateful if you could respond to my Washington office. The contact person on my staff for this case is Peter Cohen. He can be reached at (202) 225-5751.

Thank you very much for your consideration, and for advising me of any action you should take in this matter.

Sincerely,



Herb Klein  
Member of Congress

Enclosure

The Honorable Herb Klein  
1728 Longworth Building  
Washington, D.C. 20515

APR 05 1993

858 Paulison Ave  
Clifton, New Jersey  
March 28, 1993

Dear Mr. Klein:

Thank you for your reply to my letter regarding Federal Communications Commission PR Docket 92-235 which will regulate the usage of certain frequencies. I would like to point out several things which were misunderstood from your response to my original letter.

The irrefutable facts are these: model radio equipment, as designed, will not reject transmissions at 2.5 kHz separation, if the transmission is close by. Because our model radio equipment actually operates at roughly .25 watts output it would also have a difficult time competing with a one watt transmitter. The proposed FCC frequency tolerances for the new equipment would also wipe out in some instances any frequency separation at all. The document allows a frequency tolerance of 50 parts per million. That equates to 3.6 kHz. This suggests that the new frequencies could be operated directly on top of our model frequencies and on top of their own nearby assigned adjacent frequencies as well. These new frequencies are only 5 kHz apart. The allowable tolerance overlaps adjacent frequencies.

Despite FCC staff assurances that the new frequencies are destined for industrial plant operation and are not mobile moving about at will, the FCC document does not support this limited usage statement. In any case many AMA chartered model airplane clubs operate within the boundaries of or near mess to.

phasing in a safe operating environment by redesigning  
equipment and tightening up the transmission specifications for

current radio environment

Over the past two years a consistent and recurring signal has been sent by the FCC officials. Their theme was that model frequencies use would not be affected by any of the proposed regulations. A thorough study of

pp 97 325 document ... Rest that signal ... They expect to

Please consider the closing statement in the communication from the individual who drafted the document: PR Docket 92-235

"Finally, we recognize that our proposed rules are based on the information available at the time we wrote them. We seek constructive information in order to adopt final rules that meet our objectives of expanding capacity for private land mobile radio users with minimal or no harm to all existing users of the spectrum."

Does the text at PR Docket 92-235 really support this?